Exhibit O

Message

From:

Joanne Empie [joanne.empie@gmail.com]

Sent:

1/17/2023 6:11:29 PM

To:

Andy Perrigo (Sen. Warren Daniel) [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=62665d2a522f4b5198089267df2bfe9b-Andy Perrig]

Subject:

Re: Bill drafting

Attachments: NCEIT Post Election Analysis 12-2-22.pptx

Hello Andy,

Thank you for your input. NCEIT (NC Election Integrity Team) has been working on a list. I hope it will be shared soon. The attached document is currently available which you may already be aware of, but further work has been done.

Joanne

On Tue, Jan 17, 2023 at 12:22 PM Andy Perrigo (Sen. Warren Daniel) < Andy.Perrigo@ncleg.gov > wrote: Mrs. Empie,

I got your voice mail regarding when legislators put together their list of bills they want to file. My understanding is that legislators were asked to submit a priority/goals list. I do not know if any specific bill drafts were proposed. I imagine that every legislative office differs on how far along it is in the process. There may be exceptions, but I think most ideas are just ideas.

From: Joanne Empie < joanne.empie@gmail.com > Sent: Wednesday, December 21, 2022 1:16 PM

To: Andy Perrigo (Sen. Warren Daniel) < Andy. Perrigo@ncleg.gov>

Subject: Re: Bill drafting

Hello Andy,

Thank you for your quick response. Yes this was very helpful.

Merry Christmas to you.

Joanne

On Wed, Dec 21, 2022 at 12:58 PM Andy Perrigo (Sen. Warren Daniel) < Andy.Perrigo@ncleg.gov> wrote: Ms. Empie,

Thank you for the voicemail. When a legislator has an idea that needs to become a bill draft, the legislator will send the idea to Legislative Drafting and the Director Hudson will assign the draft to a staff member. The LD staff are assigned 'specialties' and will work with the legislator- or even outside persons with permission of the legislator- on a bill. For example, when the State Bar is wanting to update laws

EXHIBIT

regarding remote notary law Sen. Daniel would give permission for LD staff to share information with a representative of the State Bar working group. Sen. Daniel would review changes and suggestions.

Sometimes a legislator will start with a piece of 'model legislation' and give it to the drafter so that the drafter can adapt it to existing NC statutes.

Here is a good breakdown of how the drafting process works- bill specialties are not updated, likely due to staff turnover: https://sites.ncleg.gov/legislativedrafting/

There may be instances where a legislator requests a particular drafting staffer, but I have to believe that the specialty assignments would still apply. One other note: it is possible that several legislators could ask for their own drafts for a bill dealing with a specific topic and be unaware that there have been many requests for the same sort of bill. Legislative drafters are not allowed to discuss any work they do for a member, confidentiality is a treasured requirement. But, a member may allow the drafter to let others know what is being worked on and reach out to other members with a request to collaborate. So, it is possible a drafter is working on three different drafts for 3 different legislators on the same topic.

Hope this helps and Merry Christmas.

Legislative Drafting Division - Legislative Drafting Division - North Carolina General Assembly - North Carolina Legislative Library

Welcome The Legislative Drafting Division is a central, non-partisan office within the North Carolina General Assembly. Professional drafters (primarily attorneys) use their wide range of subject area expertise to assist legislators prepare bills for introduction. Once the filing deadlines have passed, drafters assist the House and Senate Appropriations Committees and Fiscal Research Division ...

sites.ncleg.gov





North Carolina Election Integrity Team Post-Election Analysis -December 2, 2022-











Purpose:

Provide an overview of Observations, Experiences and Challenges during the 2022 General Election- then discuss legislative priorities for improving NC election integrity for 2023 and beyond.



Citizen Concerns Leading Up to 2022 General Election

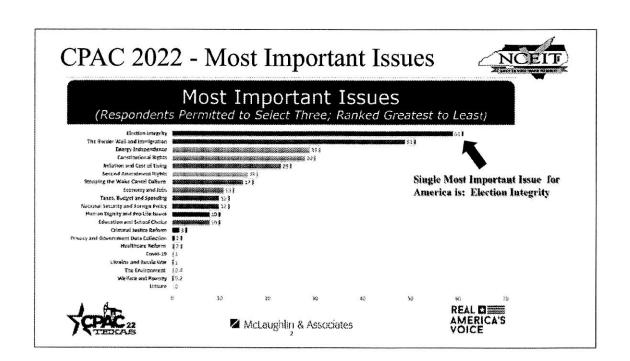


Top Voter Midterm Issues All U.S. Likely Voters Rasmussen Reports June 30, 2022

- 1 Rising Gas Prices 92% Concerned, 68% Very Concerned
- 2 Inflation 91% Concerned, 69% Very Concerned
- 3 The Economy 89% Concerned, 69% Very Concerned
- 4 Violent Crime 86% Concerned, 58% Very Concerned
- 5 Election Integrity 83% Concerned, 61% Very Concerned
- 6 School Issues 76% Concerned, 58% Very Concerned
- 7 Abortion Rights 75% Important, 54% Very Important
- 9 lifegal immigration 73% important, 42% Very important
- 8 Election Cheating 75% Concerned, 53% Very Concerned

U.S. Legacy Media Top Midterm issues All U.S. Likely Voters Rasmussen Reports June 30, 2022

- 1 Climate Change 64% Concerned, 39% Very Concerned
- 2 Ukraine War 60% important, 20% Very important
- 3 Capitol Riot Investigation 57% important, 41% Very important
- 4 COVID-19 57% Concerned, 22% Very Concerned
- 5 -- LGBTQ Issues 42% Support, 23% Strongly Support
- * Issue newly retested this week





North Carolina Election Integrity Team (NCEIT) Readiness & Experience During November 2022 Election Cycle

NCEIT Readiness & General Experience in November 2022 Election Cycle

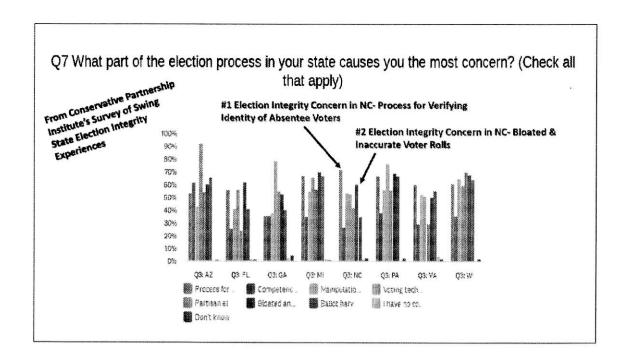
- 1025 Trained Staff Enrolled in NCEIT- principally serving as Poll Observers
- Used state-of-the-art Website to manage & direct training and collaborations among 80 of 100 Counties
- 25 of 100 Counties Staffed by NCEIT-trained Poll Observers & reported into our interactive Statewide Election Integrity Reporting System (SEIRS)
- Most other counties reported into RNC's (black hole) Zendesk system
- More than 2000 total reports logged during Early Voting and on Election Day; most problems corrected on-the-spot with election officials
- Dozens of reported procedural issues and substantial violations of NCGS 163-45(c)- Poll Observer Mobility

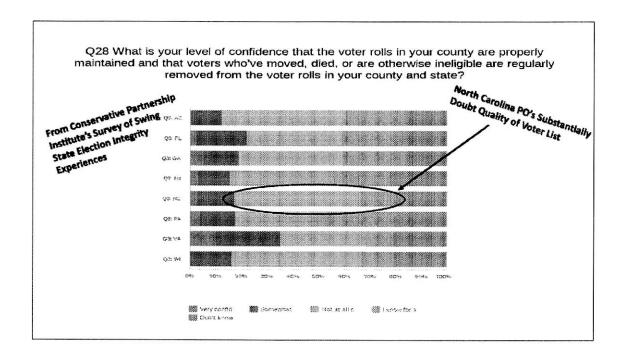
NCEIT Readiness & General Experience in November 2022 Election Cycle

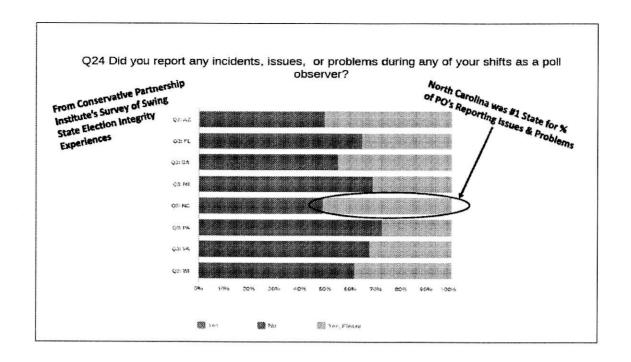
- Many violations of 18 U.S. Code § 245 (b)(1)(A)- denying Poll Observers their federally protected rights of access
- NCSBE denied NCEIT staff access to important election equipment needed for adequate observation & monitoring
- NCSBE attempted to circumvent NC statutes by proposing onerous rules limiting poll observer access in the voting enclosure- denied unanimously by the RRC
- NCSBE thwarted transparency and uniformity of the election process- limited observation of the mail-in ballot processing, limited access to Logic & Accuracy Testing, and denied release of cast vote records (CVRs)

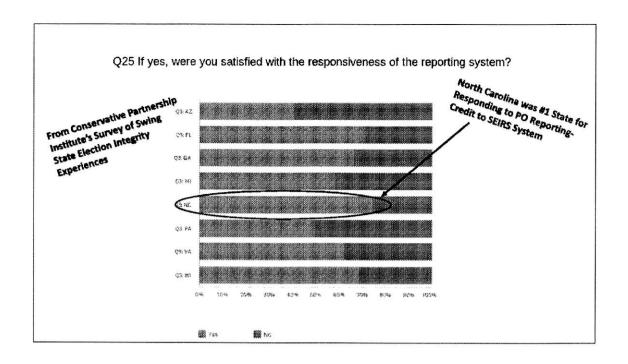


Comparative Statistics Among States



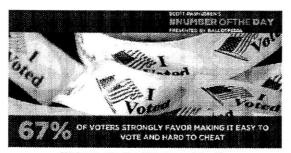






Rasmussen's National Post-Election Survey





Welcome to the Number of the Day

November 25, 2022

Sixty-seven percent (67%) of voters strongly favor making it easy to vote and hard to cheat. A Scott Rasmussen national survey found that an additional 20% somewhat favor the objective. Just 8% oppose it. There is broad bipartisan support with 78% of Republicans and 66% of Democrats strongly favoring the objective.



Election Integrity Challenges Facing North Carolina



Voter Rolls & List Maintenance

- State & Federal analyses show that 1 in 7 Voters on NC Voter Registration File is invalid (duplicated, deceased, moved, or ineligible)
- NCSBE & Local Boards of Elections are slow and ineffective in removing invalid Registrants
- National Voter Registration Act (NVRA) not being followed in making voter contacts
- Inaccurate voter rolls enable vote fraud especially without Voter ID in force
- Same Day Registration (SDR) during early voting is inadequately scrutinizedelectronic documents allowed
- NCSBE is seeking Voter List assistance from ERIC but ERIC's primary mission is to add voters to the rolls, not remove them
- · There are few enumerated federal or state standards for Voter List Maintenance
- · Out of state college student registration to vote in NC remains problematic
- UOCAVA has created non-resident registration fraud in some jurisdictions



Absentee by Mail (ABM) Voting

- 'No Excuse' Absentee by Mail (ABM) Voting is virtually unsupervised
- ABM Voting accounts for 20-30% of all votes cast
- ABM has few safeguards- no Identity or Signature Verification; Prone to Ballot Harvesting; and Prone to Manipulation by left-wing 501(c)3's- of which there are 50+ listed on NC Secretary of State's Site
- Invalid ABM ballots are nearly impossible to challenge under current procedures
- ABM ballot acceptance meetings are not transparent- ABM voters are not identified; ballot envelopes not made available for viewing (even with Public Records Requests)
- USPS handling of ABM ballots is suspect- monitoring & inspections were denied in all NC jurisdictions
- 501(c)3's are allowed to bar code their ballot request forms and have unauthorized knowledge of ABM voters leading to ballot manipulation & harvesting



Poll Observation

- Poll Observer Mobility unnecessarily restricted in virtually ALL Early Voting Sites
 & Precincts
- Registration Desk is best location to identify suspicious voters but access is very limited and listening to names/addresses is very challenging because of poor acoustics
- NCSBE does not allow audio recordings (even though no statutory prohibition)
- NCSBE denies photographing machines, voting enclosure layout, etc. (even though no statutory prohibition other than photos of voters & ballots)
- Access to Authorization to Vote (ATV) documents unnecessarily restricted
- Poll Observers unable to converse with election officials (other than Chief Judge)very problematic in resolving problems
- · Poll Observers are prohibited from approaching tabulators and inspecting poll tapes
- · Some Poll Observers prohibited from viewing start-up and shut-down operations



Board of Elections – Election Management Transparency

- Logic & Accuracy testing is heavily restricted for no good reason-denies proper validation of tabulation machine readiness and compliance
- Local Boards of Election lack transparency in ABM and provisional ballot handling processes – allowing fraudulent ballots to be approved and scanned (witnessed repeatedly)
- Voter challenge processes do not work- virtually impossible to challenge ABM or provisional voters when their names are not announced or published in time to file the challenge
- Board of Election meetings during election cycle ought to have same transparency and viewability as during early voting and on election day



Election Official & Poll Observer Training on & Access to Equipment

- Election Officials (including Chief Judges) receive very limited access to and training on Tabulation machines- they do not know how to operate properly, causing backlogs, long lines, and voter disenfranchisement in some counties
- NCSBE denies Poll Observers ANY access to machines for any form of supervised training (instructed the Corporate producer of Tabulators to deny PO access as well)
- Logic & Accuracy Tests are not conducted in logical fashion- scripts and sample ballots provided by machine maker (rather than by election officials); inadequate QC to determine firmware certification or detection of illegal machine algorithms



Lack of Public Trust in Tabulation & Vote Tallies

- Substantial lack of trust & confidence in voting integrity & election outcomes throughout the state and country- particularly among the swing states
- Year-round seclusion of tabulation machines from observation and PO training contributes to the level of distrust
- Machine failures with inadequate fault isolation & repairs are widely reported
- Machine makers have been instructed by NCSBE to deny access for Poll Observer training purposes
- · Report of "back door" code sharing to bypass machine lock-ups in one NC county
- Reports of machine overheating & failures in a number of counties
- Some counties already seeking to mothball tabulators and hand count all ballots



Election Integrity General Recommendations from CPI's Cleta Mitchell



1. Independent Audits of Elections.

- *Random complete audits on a rotating basis, announced post election create categories by size of jurisdiction, and so many from each category are audited after every election but some can be audited twice in a row, etc. Point being- the audited jurisdictions never know when they will be audited
- *All jurisdictions audited at least once every 5 years (or some number of years, less than 10)
- *Audits conducted NOT by election offices themselves, but by state auditor
- *Audits consist of financial, program, auditing of ballots/voters/votes to ensure all were reconciled; technology, chain of custody, and compliance with ALL state laws governing elections
- *Criminal penalties for failure to cooperate with audits / auditors
- *Civil penalties, removal from office for officials from jurisdictions that fail audits
- *Records retained and delivered to auditors, then retained for public inspection post audit
- *Audit findings and documentation publicly available



- 2. <u>Reconciliations required by statute</u>: the number of votes must equal the number of voters, must equal the number of ballots in an election. Cannot certify election until all reconciled. (Penalties for failure to reconcile.)
- 3. <u>Transparency and accountability for voting technology</u>: contracts must be public records, demonstrations of equipment must be open, publicly available for training of observers, equipment must be certified and no 'critical changes' post certification without some process for public inspection and oversight
- 4. Eliminate same day registration during early voting
- 5. Stiffen penalties for violation of election statutes, including limiting observer access beyond what is allowable under state law



6. **UOCAVA reform:**

- •All registrations by citizens living abroad must be accompanied by photocopy of passport of registrant (or military identification record), which becomes part of voter's records
- •All overseas registrations at a central UOCAVA address at NCBOE
- •All overseas ballots must be accompanied by photocopy of passport (or military document) used in registration
- •All overseas ballots sent to central UOCAVA registration address at NCBOE
- •No registration and voting on same application
- •Confirmation of identity is matching the passport photocopy on file with the passport photocopy accompanying the ballot application / ballot (or military identification)
- Access solely to federal ballot for UOCAVA voters



- 7. All absentee / mailed ballots must be accompanied by photocopy of government issued photo ID and an affidavit that the ballot is submitted by the voter himself/herself (or a legal guardian/family member), who must also swear under penalty of perjury that the person submitting the ballot is known to the voter, and meets the qualifications of 'family member, guardian, personal friend' and is accompanied by notarized affidavit signed by the person submitting the ballot on behalf of the voter
- 8. Reinstate with additional protections the MATS program that the AG did not defend in federal court. It was a good law. Put it back into the code with additional requirements to protect the vulnerable voters
- **9.Prohibit mailing of absentee ballot applications by third parties**; only the voter can request the absentee ballot and to vote by absentee ballot must meet statutory criteria: over the age of 70, infirmed and cannot vote in person, hospitalized, out of the jurisdiction on ALL days of in person voting



- 10. Processing of absentee ballots conducted with observers from both parties at a public place / meeting- with identity of absentee voters publicly disclosed, and the verification of identity conducted publicly in presence of observers
- 11. Citizens have standing to bring an action in court to enforce the election laws when violated by election officials
- 12. Limit the standing to challenge election laws enacted by the legislature: require personalized injury for any individual or entity to challenge a provision of the election code no general allegations, but facts verified under penalty of perjury of particular injury caused to that plaintiff of the challenged election law provision; require the legislature to be a necessary party to any election law challenges



- 13. Require DMV and other agencies registering voters to provide to registrants a form to be signed by the registrant, identifying the county and state of former residence and registration, with voter signing a directive to the location of former residence / registration that the registrant has relocated to North Carolina, that he/she has registered to vote in North Carolina, and that the registration on file in the former state/county of residence should be cancelled. The signed instructions to remove the individual from the former state's voter rolls shall be transmitted to the NCBOE along with the new registration in NC, and shall be sent by NCBOE to the former county/state of residence with instructions to remove the registrant from that state's voter rolls.
- 14. Withdraw NC from ERIC and prohibit any NC taxpayer funds from being used or spent in membership in ERIC;
- 15. <u>Prohibit private funding, directly or indirectly, of election offices</u>. including prohibition on payment by private organizations for travel, grants, training, and other things of value from the private organization or individual to any election office, or official, in NC



Back-Up Slides





Digitizing the Election Integrity Process & Managing Information Operations



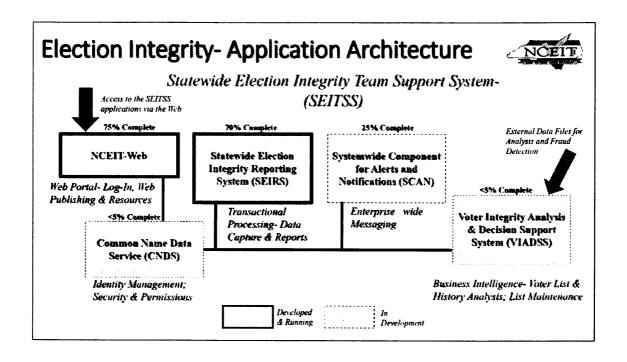






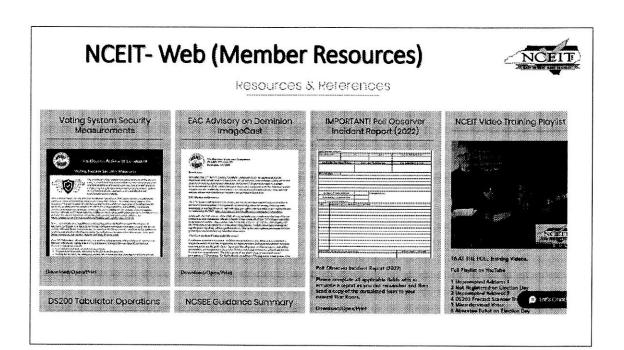


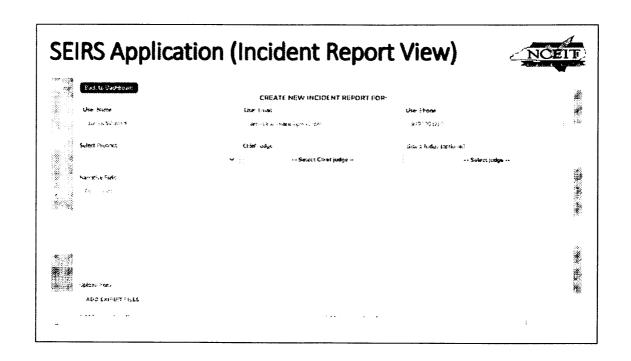


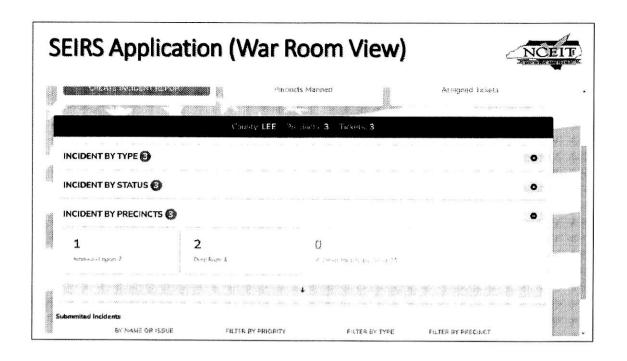


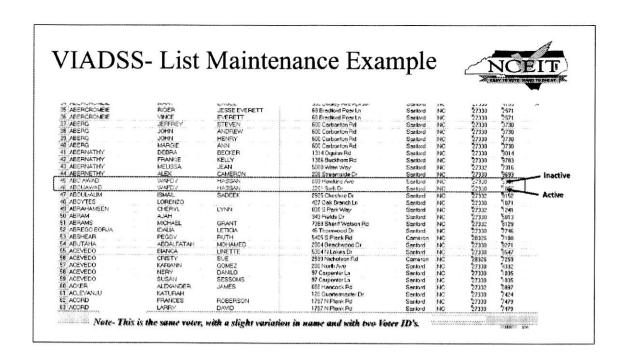












VIADSS- List Maintenance Example



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Note-Only 2 of these 32 people actually live at this address or ever lived there. Most have never been to NC. All live abroad but vote in Lee County elections.

Issue #1- ERIC



- *HB 103 (Budget) authorized release of voter registration and vote history data to ERIC (Electronic Registration & Information Center)
 - -NCSBE misrepresentation of "List Maintenance" purpose
 - -Known leftist ties of ERIC to Center for Election Innovation & Research (CEIR) funded by Zuckerberg
 - -Will enlarge (not reduce) our Voter Rolls
 - -ERIC Bylaws & Member Agreement is Onerous & Exploitative
 - -Will enable left-leaning 501(c) organizations to target and recruit absentee by mail voters (think 2000 Mules documentary)
 - -Must restrict release of NC data to just Voter data from NCSBE; Make it available to NCEIT as well for in-state "List Maintenance"

Issue #2- Temporary Rules



*NCSBE Pursuit of Temporary Rulemaking Prior to November 2022 Election

- -Exploiting statutory authority for temporary rulemaking to avoid extensive public comment and adjustments in their proposed rules (inconsistent with NCGS Chapter 150-B-21.2)
- -Violates spirit and intent of NCGS Chapter 163 provisions for Poll Observers and Precinct Officials
- -Limits mobility of Poll Observers & restricts their ability to observe & report problems
- -Constrains Precinct Officials with vague and ambiguous requirements with no basis in statutes